

Legal Services Society

Service *Plan*

2011/2012–2013/2014



Legal
Services
Society

British Columbia
www.legalaidsociety.bc.ca

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The *Service Plan 2011/2012 – 2013/2014* is a publication of the Legal Services Society (LSS). LSS is a non-government organization that provides legal aid to British Columbians. LSS is funded primarily by the provincial government and also receives grants from the Law Foundation and the Notary Foundation.

The *LSS Service Plan 2011/2012 – 2013/2014* is also available in PDF on the LSS website at www.legalaid.bc.ca.

Letter from the Board Chair to the Minister Responsible and Accountability Statement

January 31, 2011

The Honourable Barry Penner, QC
Attorney General
Province of British Columbia

Dear Mr. Attorney:

On behalf of the board of directors and employees of the Legal Services Society, I am pleased to present our service plan for 2011/2012 – 2013/2014.

To fulfill its mandate, the Legal Services Society offers legal representation for financially eligible people with serious family, child protection, criminal, or immigration problems, as well as information and advice services designed to help people resolve legal problems on their own. These programs help achieve early and lasting solutions for people with low incomes, greater efficiency for the justice system, and prudent management of public funds.

The society provides services at more than 50 locations across BC, including private law offices, courthouses, and community service agencies.

The Legal Services Society's key challenges continue to be driven by external factors such as the economy, the number of people charged with criminal offences, family break up, immigration policies, the number of children placed in government care, and the revenue available to the society.

The unpredictability of these external forces, the society's inability to control them, and the impact they can have on the society's finances and operations were all demonstrated midway through the fiscal year with the unexpected arrival of almost 500 Tamil migrants seeking refugee status. Services for this group quickly exhausted immigration funding, and the society would have been forced to curtail all immigration and refugee services had the federal government not provided additional money.

During the last fiscal year, the society completed several major initiatives to reduce the risks associated with these external challenges, including restructuring the organization to maximize funding available for core services, implementing a simplified tariff to reduce the administrative burden on society staff and private lawyers, and finalizing a new Memorandum of Understanding with the Ministry of Attorney General that mitigates the financial risks associated with large criminal cases.

While these and other initiatives were largely positive, the restructuring resulted in a significant reduction in workforce and services at the beginning of the fiscal year and had a negative impact on the society's operations and morale. The financial savings were, however, used to provide much-needed services including reinstating coverage for minor criminal offences, a new family law advice telephone service, and new community outreach programs.

In 2011/2012, the Legal Services Society will continue to face challenges from the growing demand for legal aid and the rising cost of justice.

The society has identified two specific initiatives which will make the greatest long-term contribution to addressing these challenges:

- Delivering cost-effective legal aid by integrating legal services with other social services
- Managing the cost and complexity of large criminal cases

Implementing these initiatives will require collaboration amongst all justice system stakeholders, and the society intends to begin in 2011/2012 a series of conversations about these projects with our justice system partners.

Last year was to have been my final term as chair. I agreed to stay for another year to provide continuity for several new directors who replaced those whose terms had expired. The seven years I have served as a director (including three as chair) have been challenging due to the external factors described in this letter. The Legal Services Society has been able to meet these challenges because it has committed directors and innovative, dedicated staff, and I compliment them for their work.

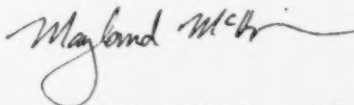
As I depart, the Legal Services Society is on a stable, albeit significantly reduced, footing. In the board's assessment, however, the society is now providing services far below what the board believes is needed to properly assist British Columbians with low incomes and to effectively support the efficient operation of the justice system.

Statement of accountability

The *Legal Services Society Service Plan 2011/2012 – 2013/2014* was prepared under the board's direction in accordance with the Budget Transparency and Accountability Act and the BC Reporting Principles. The plan is consistent with the BC government's strategic priorities and Fiscal Plan. The board is accountable for the contents of the plan, including the selection of performance measures and targets.

All significant assumptions, policy decisions, and identified risks, as of January 31, 2011, have been considered in preparing the plan. The performance measures presented are consistent with the society's mandate and goals, and focus on aspects critical to the society's performance. The performance targets in this plan were determined based on an assessment of the society's budget, operating environment, forecast conditions, risk assessment, and past performance.

Yours truly,



D. Mayland McKimm, QC
Chair, LSS Board of Directors

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“In any legal dispute, the ideal outcome is a speedy resolution that stands the test of time, so the parties can get on with their lives. Legal aid clients are no different, but achieving the ideal outcome for them often involves helping them address non-legal issues — such as homelessness, poverty, or addiction — that have an impact on their legal problems.”

D. Mayland McKimm, QC
Chair, LSS Board of Directors

Organization Overview

The **Legal Services Society (LSS)** provides legal aid in British Columbia. Created by the Legal Services Society Act in 1979, LSS is a non-profit organization that remains independent of government. Our priority is to serve the interests of people with low incomes.

Our core services

Core legal aid services include legal information, advice, and representation.

- **Legal information:** The society's legal information services are delivered by front line staff and local agents, and through publications and websites. Other information services include training and support for community advocates who work with LSS clients. LSS also collaborates with community and government agencies to ensure people with low incomes have access to the other services they need to solve their legal issues.
- **Legal advice:** LSS offers legal advice through criminal, family, and immigration duty counsel in courthouses across BC, and through the Brydges Line telephone service for people who have been or may be arrested. LSS also provides family advice lawyers at various locations and some services on the telephone. LSS advice services may be subject to a financial eligibility test.
- **Legal representation:** LSS provides legal representation for financially eligible people with serious family law, child protection, or criminal law problems. Legal representation is also available for people who face a refugee or deportation hearing, a Mental Health Review Panel or BC Review Board hearing, or who have

a prison issue for which the Charter of Rights and Freedoms establishes a right to counsel.

Our service delivery model

The society works closely with our partners in the justice system — lawyers, advocates, community and government agencies — to best address the legal needs of our clients. Legal aid intake services are delivered in person at legal aid offices across the province and over the phone through the toll-free LSS Call Centre. Lawyers who accept LSS referrals provide most of the legal representation services. LSS also contracts with lawyers and other service partners to provide additional services, such as Brydges Line.

The society works to ensure that legal aid services are accessible to all communities. For example, LSS provides the call centre for people who cannot apply for legal aid in person, as well as interpreters for call centre clients as needed. We also pay for interpreters for clients working with legal aid lawyers and produce legal information publications in a variety of languages.

For more information about legal aid services and eligibility criteria, visit the LSS website at www.legalaid.bc.ca. For a detailed profile of LSS, see "Legal aid facts" on the website under "Media" or "About us".

Our clients

Every year, tens of thousands of BC citizens receive legal aid information, advice, and representation services. We strive to engage our clients in finding solutions to their legal problems. By taking an integrated approach, legal aid services can help clients prevent future legal issues and increase their ability to positively contribute to society.

Legal aid clients are among the province's most vulnerable and marginalized citizens. Our clients do not have the financial resources — or frequently the educational, social, or health resources — to effectively access the justice system when their families, freedom, or safety are at risk. Of the 26,620 clients who were referred to a lawyer in 2009/2010, over 50% had less than a high school education and over 25% are Aboriginal.

LSS mandate

Under section 9 of the current LSS Act, the society's mandate is to:

- help people solve their legal problems and to facilitate access to justice,
- establish and administer an effective and efficient system for providing legal aid to people in BC, and
- provide advice to the Attorney General about legal aid and access to justice for people in BC.

Section 9 also states that the society is to:

- give priority to identifying and assessing the legal needs of people with low incomes in BC,
- consider the perspectives of both justice system service providers and the general public,
- coordinate legal aid with other aspects of the justice system and community services, and
- be flexible and innovative in carrying out its mandate.

Section 11(4) of the act limits the amount of legal aid the society can provide to any client to “the extent of legal or other services that a reasonable person of modest means would use to resolve the problem.”

Governance

The society is governed by a nine-member board of directors. Under its bylaws, the board's role is “to ensure the effective governance of the society through setting direction, monitoring performance, and hiring and supporting the executive director.”

LSS is committed to strong corporate governance practices that enable public accountability and transparency. The society adheres to the governance principles established by the Board Resourcing and Development Office (BRDO) and is in full compliance with BRDO guidelines. To maintain excellence in board governance, LSS reviews its governance framework regularly to ensure it meets the society's ongoing business needs while being consistent with recognized best practices.

Board of directors

The governance framework of the board consists of policies and bylaws that reflect established governance best practices.

Of the nine board members:

- five are appointed by the Lieutenant-Governor in Council on the recommendation of the Attorney General, and
- four are appointed by the Law Society of BC after consultation with the executive of the BC Branch of the Canadian Bar Association.

The LSS Act outlines the need for the board as a whole to have a range of knowledge, skills, and experience in such areas as:

- business management and the financial affairs of public and private sector organizations;
- law and the operation of courts, tribunals, and alternative dispute resolution processes;
- the provision of legal aid;
- BC's cultural and geographic diversity; and
- the social and economic circumstances associated with the special legal needs of people with low incomes.

At their first meeting in each fiscal year, the directors of the board elect a board chair and an Executive Committee. Headed by the board chair and consisting of at least two other board directors, the Executive Committee holds all the powers of the board between meetings, except the power to fill vacancies on or alter the membership of board committees and specific powers excluded by resolution of the board.

The board also establishes two board committees to help it carry out its responsibilities:

- the Finance Committee, which makes recommendations on the society's finances, funding, and fiscal allocations; and

LSS Board of Directors (at January 31, 2011)

Board members	Board committees
D. Mayland McKimm, QC (Victoria)	Chair, LSS Board of Directors Chair, Executive Committee
Barbara Brink, CM, OBC (Vancouver)	Member, Executive Committee Member, Finance Committee
Thomas (Tom) Christensen lawyer (Vernon)	Member, Executive Committee Chair, Stakeholder Engagement Committee
E. David Crossin, QC lawyer (Vancouver)	Member, Stakeholder Engagement Committee
Sheryl N. Lee, CA (Vancouver)	Chair, Finance Committee
Deanna Ludowicz, lawyer (Grand Forks)	Vice-chair, LSS Board of Directors Member, Executive Committee
Todd L. Ormiston (Victoria)	Member, Stakeholder Engagement Committee
Darrell J. Wickstrom, lawyer (Vancouver)	Member, Finance Committee
Marion Wright (Campbell River)	Member, Stakeholder Engagement Committee Lead board member on governance

- the Stakeholder Engagement Committee, which recommends ways to strengthen the society's relationships with key stakeholders in the justice system.

The chair, in consultation with the society's executive director, appoints the committee members, unless the board directs otherwise. For more general information about the LSS board and its governance practices, visit the society's website at www.legalaid.bc.ca and see "Who we are" under "About us." Specific inquiries should be directed to the assistant corporate secretary at corporate.governance@lss.bc.ca.

Senior management

The board of directors appoints an executive director to administer the business of the society. The executive director chairs the society's Executive Management Committee (EMC), which is made up of the directors of the four internal LSS divisions. EMC provides LSS with overall strategic direction, policy, and planning.

EMC also makes final decisions on strategic and operational issues brought forward by the Operations, Planning, and Policy Committee. This management committee advises EMC on interdivisional policy and planning, strategic and service planning, management initiatives, operational support issues, and policies for coverage, eligibility, and tariffs.

LSS directors (at January 31, 2011)

- Mark Benton, QC, Executive Director
- Harold V. J. Clark, CHRP, Strategic Planning, Policy, and Human Resources
- Sherry MacLennan, lawyer, Public Legal Information and Applications
- Heidi Mason, lawyer, Legal Advice and Representation
- Doug Wong, CA, Finance and Corporate Services

LSS senior managers (at January 31, 2011)

- Vacant, Information Technology
- Vacant, Audit and Investigation
- Brad Daisley, lawyer, Communications and General Counsel
- Noreen Finnerty, CHRP, Human Resources and Organizational Development
- Craig Goebel, lawyer, Intake and Regional Centres
- David Griffiths, lawyer, Legal Services
- John Simpson, lawyer, Community and Publishing Services
- Kathryn Spracklin, Strategic Planning and Policy
- Janice Staryk, Tariff Services
- Eugene Wandell, CMA, Finance and Administration

Strategic Context

The *LSS Service Plan 2011/2012 – 2013/2014* describes the strategies the society will take in the next three years toward establishing an integrated, client-centred legal aid model designed to help people with low incomes achieve timely and lasting solutions to their legal problems.

This model, which advances the long-term goals set out in this plan, supports clients' full participation in the legal process and integrates legal aid with services that help clients address the social, financial, and health issues that trigger or result from legal problems.

In the short term, LSS anticipates that the implementation of this model will be slow and will demand innovative solutions, due to ongoing demand fluctuations, fiscal uncertainty, and other strategic issues (see pages 7 to 11). To respond to these issues, LSS will continue to prioritize services for clients most in need and to refine our organizational structures and policies to promote greater flexibility, accountability, and cost certainty. This work includes managing the impact and building on the strengths of the local-agent-based delivery model and the simplified tariff, both implemented in 2010/2011. Furthermore, LSS looks forward to further enhancing community engagement initiatives, with a particular emphasis on remote and rural communities, and on strengthening our relationship with our Aboriginal communities in a client-centred and culturally sensitive manner.

The society's integrated legal aid model aligns closely with the Justice Reform Initiatives of the Ministry of Attorney General and shares the ministry's integrated, problem-solving approach.

Though an integrated approach requires a commitment of resources across the justice system and related social services sectors to achieve its potential, the returns on this investment are just as significant. Research in other jurisdictions continues to demonstrate the economic benefits to the justice system and to individuals and communities of appropriately and adequately funded legal aid services. The social returns — improved outcomes for clients, their families, and their communities; increased public confidence in the justice system; protection of rights, safety, and democracy — are equally profound.

Capacity and staff commitment

The ability of LSS to achieve its goals depends on the dedication and commitment of the society's experienced staff. Through community and employee engagement initiatives, LSS is rebuilding organizational capacity and morale reduced by the transition to a local-agent-based model and staff and service reductions in 2009/2010. LSS continues to enhance the strategic and operational processes that enable the society to undertake the strategies laid out in this plan, as well as to respond effectively to our changing environment.

Vision, mission, values

To better reflect our commitment to an integrated legal aid model, the society revised its vision, mission, and values statements in 2010/2011. These statements are below.

LSS vision

Our vision is a British Columbia where all people are able to find timely and lasting solutions to their legal issues that improve their quality of life.

LSS mission

Our mission is to provide innovative and integrated services that enable clients to effectively address their legal issues in a broad social context.

LSS values

We value:

- making a positive difference in our clients' lives through legal aid services;
- engaging clients in finding solutions that meet their legal needs;
- recognizing diverse cultures and perspectives;
- compassion, integrity, and respect in our relationships with clients, staff and stakeholders;
- collaboration with service partners and stakeholders;
- innovative approaches to solving problems;
- excellence and continuous improvement; and
- accountability and openness.

Key Strategic Issues

The following tables outline the primary strategic issues identified for 2011/2012 – 2013/2014, an assessment of the risks and opportunities these issues represent, and the society's intended responses. The risk assessments reflect the results of a new, more inclusive risk assessment process introduced this year, and are presented in order of strategic priority. The goals referenced in the tables below appear in the next section, "Goals, Strategies, Measures, and Targets."

Issue	Risk statement	Risk likelihood	Risk consequence	Opportunity statement	LSS response
Integrated services					
<ul style="list-style-type: none"> Challenge to integrate services with limited funds, varying degrees of external support, and limited staff capacity. Slow progress to date on integration because LSS is focusing on delivering core services. Most integrated services address poverty and non-legal issues while this is not part of LSS' current service priorities. 	<ul style="list-style-type: none"> A) Integrated services are not undertaken or are not successful because LSS and its partners have insufficient resources or competing priorities. 	1	1	<ul style="list-style-type: none"> Help clients find early and lasting solutions to their related legal issues, preventing future issues and reducing the burden on the justice system. 	<ul style="list-style-type: none"> Develop a client-centred legal aid model that promotes integration of services to address clients' legal and related legal issues. (A)
		2	2		
		3	3		
	<ul style="list-style-type: none"> B) LSS loses its reputation for innovation if it is unable to implement integrated services after having identified this priority. 	4	4	<ul style="list-style-type: none"> Support a culture of innovation amongst management and staff. 	<ul style="list-style-type: none"> Explore synergies and build connections between LSS, government ministries, and community partners. (B)
		5	5	<ul style="list-style-type: none"> LSS to be a leader in the justice community by promoting the viability and value of integrated services. Explore low cost and simple means of integrating services. 	<ul style="list-style-type: none"> Research integration models in other jurisdictions to inform an integrated services strategy. (B) Continue to educate lawyers and clients about the benefits of integrated services. (B) Develop community engagement strategies and advice lawyer services that focus on integration of services. (A)
(See Goals 2 and 3)					

Issue	Risk statement	Risk likelihood	Risk consequence	Opportunity statement	LSS response
Aboriginal services					
<ul style="list-style-type: none">■ In partnership with Aboriginal communities, LSS is developing legal services that recognize the unique needs of Aboriginal clients and focus on remote regions.■ LSS must determine which piloted Aboriginal services should become core programs and how all LSS services can be designed to meet the identified needs of Aboriginal communities.	<ul style="list-style-type: none">■ A) Legal aid services do not meet the needs of LSS's Aboriginal clients (approximately 25% of the total number of LSS clients).	1	1	<ul style="list-style-type: none">■ Establish effective services for Aboriginal clients as core LSS services.■ Strengthen LSS's relationships with the Aboriginal community.	<ul style="list-style-type: none">■ Actively engage with and build resources within Aboriginal communities to address legal issues in ways that recognize their unique culture. (A)■ Implement a model to integrate piloted services as core legal aid services. (A)■ Explore alternative funding arrangements to support Aboriginal legal aid services. (A) <p>(See Goal 1)</p>
		2	2		
		3	3		
		4	4		
		5	5		
Large cases					
<ul style="list-style-type: none">■ Rising volumes and costs of large cases are disproportionate to funding allocations.■ Large case costs are difficult to forecast and to control.	<ul style="list-style-type: none">■ A) Large case costs exceed the society's exceptional case fund budget and human resource allocation.	1	1	<ul style="list-style-type: none">■ Collaborate with key provincial and federal justice system stakeholders to develop sustainable systemic solutions.	<ul style="list-style-type: none">■ Enhance LSS's ability to contain large case costs through policy and process changes. (A)■ Collaborate with government to develop systemic justice system solutions that meet the needs of all stakeholders. (A) <p>(See Goal 4)</p>
		2	2		
		3	3		
		4	4		
		5	5		

Issue	Risk statement	Risk likelihood	Risk consequence	Opportunity statement	LSS response
Public awareness and support					
<ul style="list-style-type: none">Recent media coverage and LSS changes to services may create public misconceptions about the availability of legal aid services in BC.Research indicates a strong majority of Canadians believe that legal aid inspires perceived fairness of the justice system (93%) and confidence in the justice system (82%).*Support for legal aid services among BC residents dropped 6% to 88%.The Public Commission on Legal Aid has the potential to raise awareness about LSS and create a constructive dialogue on the strengths and weaknesses of BC's legal aid system.	<ul style="list-style-type: none">A) Public support for legal aid, as well as public confidence in and perceived fairness of BC's justice system, is diminished.	1	1	<ul style="list-style-type: none">Promote public awareness of how legal aid services help solve and prevent problems, improving community well being and reducing the burden on the social services sector.	<ul style="list-style-type: none">Build upon the local agent delivery model through community engagement strategies that strengthen relationships with advocates and other community partners. (B)Increase advertising/promotion of legal aid services in selected communities. (B)Stabilize resources and build support among elected and public officials, and other community leaders. (A)Continue to communicate the value of legal aid to the government and the public. (A) <p>(See Goals 1 and 4)</p>
	<ul style="list-style-type: none">B) Eligible clients do not seek legal aid services because they believe legal aid is not available or that it is not enough to meet their needs.	2	2	<ul style="list-style-type: none">Use the Public Commission on Legal Aid to promote LSS's vision of a client-centred and inclusive legal aid system.Enhance public confidence in and perceived fairness of BC's justice system.Strengthen local agent and LSS relationships in BC communities.	
		3	3		
		4	4		
		5	5		

Service demand					
<ul style="list-style-type: none"> Demand for legal aid continues to fluctuate. Family referral rates are currently below the projected budget for this year. Unanticipated marine arrival of migrants. 	<ul style="list-style-type: none"> A) Demand for legal aid does not follow historical patterns. 	1	1	<ul style="list-style-type: none"> Acquire a better understanding of factors influencing demand for legal aid. 	<ul style="list-style-type: none"> Refine and formalize LSS cost and demand management processes to guide LSS board and management decisions. (A/C) Make revisions to LSS coverage policies and procedures to better manage demand. (B/C) Improve the scalability of services. (B) <p>(See Goals 1 and 4)</p>
	<ul style="list-style-type: none"> B) Referral volumes are not aligned with the available budget, causing budget shortfalls or surpluses. 	2	2		
		3	3		
		4	4		
		5	5		

* Ab Currie, "Public Support for Criminal Legal Aid" (presentation of a national Ipsos Reid survey commissioned by the Department of Justice Canada and conducted February 2008, Association of Legal Aid Plans of Canada conference, Charlottetown, PEI, August 2008).

Issue	Risk statement	Risk likelihood	Risk consequence	Opportunity statement	LSS response
Financial uncertainty					
<ul style="list-style-type: none"> ■ Ongoing uncertainty in general economy, including low interest rates. ■ Rising case costs. ■ Managing uncertainty requires administrative resources and makes it difficult to set priorities. 	■ A) LSS has insufficient revenue and overly restrictive programs to meet client service demands.	1	1	<ul style="list-style-type: none"> ■ Make the best use of funds for clients by improving the efficiency and effectiveness of legal aid services and service delivery. 	<ul style="list-style-type: none"> ■ Monitor the impact of the simplified tariff on case costs and respond accordingly. (B) ■ Continue to monitor and refine forecasting, expenditure tracking, and data analysis to manage fluctuating revenue and service demands. (A/C) ■ Demonstrate that an adequately funded legal aid plan reduces the overall burden on the social services system by resolving problems before they escalate. (A/C) <p>(See Goal 4)</p>
	■ B) Tariff costs exceed budgets.	2	2		
	■ C) LSS is unable to move forward with key priorities.	3	3		
		4	4		
		5	5		

Lawyer recruitment, retention, and engagement					
<ul style="list-style-type: none"> ■ Recent service changes and infrastructure reductions have jeopardized relationships between LSS and some of the private bar. ■ LSS experienced localized service withdrawals in 2010/2011. More widespread withdrawals are likely. ■ Lawyer satisfaction survey results indicate lawyers continue to feel LSS does not value their work. ■ Attrition due to demographics. 	■ A) LSS is unable to place all cases with a lawyer within a reasonable time.	1	1	<ul style="list-style-type: none"> ■ Opportunity to promote a legal aid culture within the BC Bar. ■ Lawyer withdrawal of services may lead to an enhanced recognition of the value of their services and increased public support for additional funding for LSS. 	<ul style="list-style-type: none"> ■ Use the lawyer supply dashboard to identify supply issues and take appropriate action. (A) ■ Support all staff and local agents to build meaningful community-based lawyer engagement strategies. (B/A) ■ Develop incentives for non-tariff lawyers. (B) <p>(See Goal 4)</p>
	■ B) Lawyers withdraw needed client services.	2	2		
		3	3		
		4	4		
		5	5		

Issue	Risk statement	Risk likelihood	Risk consequence	Opportunity statement	LSS response
Legislative change					
<ul style="list-style-type: none">Proposed provincial and federal legislative changes may increase costs of providing critical immigration and family services to individuals in need.Funding to offset these costs may not be available.	<ul style="list-style-type: none">A) LSS is unable to provide services based on legislative changes if additional funding to cover increased costs is not received.	1	1	<ul style="list-style-type: none">Collaborate with government and other stakeholders to develop new and improved services.	<ul style="list-style-type: none">Continue to monitor and collaborate with various levels of government on proposed legislative changes, while planning for potential financial impact. (A)Develop and implement processes, policies, and budgets to reflect new immigration and family legislation. (A) <p>(See Goal 4)</p>
		2	2		
		3	3		
		4	4		
		5	5		

Risk likelihood measures: 1=Rare (event may occur only in exceptional circumstances within LSS environment); 2=Unlikely (event could occur at some time within the LSS environment or once every 20 years); 3=Possible (event might occur at some time within the LSS environment or once every 10 years); 4=Likely (event will probably occur in most circumstances within the LSS environment or once every three years); 5= Almost certain (event is expected to occur in most circumstances within the LSS environment or one or more times a year).

Risk consequence measures: 1=Insignificant (no significant impact on employee engagement, LSS reputation, or service delivery/funding); 2=Minor (minor impact on employee engagement, LSS reputation, or service delivery/funding); 3=Moderate (moderate impact on employee engagement, some loss of credibility, or business operations/administration of LSS could be subject to significant review or changed ways of operating); 4=Major (major impact on employee engagement, significant loss of credibility, or effective provision of services threatened requiring top-level management intervention); 5=Critical (critical impact on employee engagement and critical loss of credibility, provision of key services threatened causing significant problems for clients, or loss of services and/or funding posing extreme consequences for LSS financially and for its reputation).

"Legal aid plays an important role in the economic and social health of the entire community and, to make its maximum contribution, must... concentrate on helping people find timely and lasting resolutions to their legal problems."

From the Legal Services Society's
Submission to the Public Commission on Legal Aid.

Goals, Strategies, Measures, and Targets

The goals, strategies, and performance measures outlined in this service plan are designed to engage LSS staff, our service partners, and our clients in finding timely and lasting solutions to clients' legal issues while managing the budget.

The society's goals, continued from the 2008/2009 plan, describe our long-term commitment to building an integrated legal aid model. The strategies to achieve these goals have been adjusted in this plan to respond to changes in our internal and external environment. All adjustments are noted in the table on page 14.

Performance management system

LSS assesses its performance by surveying key stakeholder groups. LSS staff help develop the survey questions and methodology, and independent research organizations carry out the data collection and analysis to ensure data is accurate and reliable. The society also monitors and reports on key internal operational and financial data, which are tested internally.

We selected satisfaction measures to track our overall progress in achieving intended outcomes for clients. These measures also track our success in engaging the support of private lawyers, who are our primary service partners; our employees, who are critical to service quality; and the public, to whom we are ultimately accountable. Increasing levels of client and lawyer satisfaction, employee engagement, and public support will demonstrate that we are meeting these stakeholders' needs. LSS chose budget-to-actual expenditure variance as a measure of financial performance.

LSS benchmarks its performance against like organizations, where possible. By using the Common Measurement Tool, an independent client satisfaction benchmarking tool and data service provided by the Institute of Customer-Centre Service, we are able to compare client satisfaction results against government agencies providing similar services. We benchmark our employee engagement score against the BC Public Service using statistics provided by BC Stats, the organization that conducts our Work Environment Survey and administers the same survey to all BC Public Service Employees annually. Though legal aid plans across Canada have not yet developed a common method of measuring performance, we regularly share performance and outcome information. Our lawyer satisfaction results, for example, are benchmarked against roughly comparable results from legal aid plans in Alberta and Ontario.

We set targets by considering benchmark data, calculating what would be a statistically significant change in a particular measure, and evaluating the level of improvement possible given the strategies in place and activities planned in the coming period. Meeting our targets would demonstrate continuous improvement in stakeholder satisfaction with, support for, and use of our services, as well as financial responsibility, all of which are necessary to achieve our goals.

Adjustments to Service Plan 2011/2012 – 2013/2014

	Goals	Strategies	Measures
<div>Use</div> <div>Participate</div> <div>Integrate</div> <div>Manage</div>	Goal 1	<ul style="list-style-type: none"> Shifted focus of strategy 1.1 from "sustaining" to "increasing" awareness of legal aid services through community- and technology-based initiatives. Removed strategies on monitoring the impact of an agency delivery model on client access. Shifted focus of strategy 1.3 from "piloting services for Aboriginal clients" to "establishing proven projects as permanent services." Added the strategies of implementing a targeted advertising campaign and developing options to introduce flexible and scalable coverage policies. 	No change
	Goal 2	<ul style="list-style-type: none"> Expanded the focus of strategy 2.1 to include providing clients with information regarding "the spectrum and scope" of legal aid services and related legal issues. Introduced strategy 2.2 to increase training for front line staff. Shifted the focus of strategy 2.3 from "enhance opportunities" to "implement community engagement strategies" that support local agents', lawyers', and intermediaries' capacity to engage clients. 	No change
	Goal 3	<ul style="list-style-type: none"> Revised strategy 3.3 to include working with government to develop a client-centred approach to promote integrated services. 	No change
	Goal 4	<ul style="list-style-type: none"> Updated strategy 4.1 to respond to the 2011 Work Environment Survey. Shifted focus of 4.2 to include developing indicators to track and adjust operational performance in key areas such as demand management and lawyer supply. Shifted strategy 4.3 to monitor and respond accordingly to the effect of the simplified tariff on case costs. Removed strategy that focused on the initial impact of the new service delivery model. Introduced strategy 4.4 to focus on implementing new policies and procedures for large case management. Updated strategy 4.5 to sustain public and political support for legal aid services. Added strategy 4.6 to develop and implement community-based lawyer engagement initiatives. Added strategy 4.7 to adapt process, policies, and budget to reflect new immigration and family legislation. 	No change

Goal 1 • Use

People with low incomes who have legal issues use LSS services.

Strategies

- 1.1 Increase public and intermediaries' awareness of the availability of LSS services through a variety of community engagement and technology-based initiatives.
- 1.2 Identify and address gaps in access to justice through the use of community engagement strategies to improve legal aid services across the province.
- 1.3 Transition proven piloted services for Aboriginal clients to core legal aid services and continue to develop and adapt services for Aboriginal clients.
- 1.4 Develop and implement a targeted advertising/promotional campaign.
- 1.5 Assess and develop options to introduce flexible and scalable coverage policies.

Performance measures	Actual	Forecast		Targets	
	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014
(a) Percent of clients satisfied with the accessibility of LSS services (tri-annual survey)	Baseline set: 66% (2007/2008)	70%	N/A	N/A	N/A
(b) Percent of clients satisfied with the helpfulness of LSS services (tri-annual survey)	Baseline set: 65% (2007/2008)	69%	N/A	N/A	N/A
(c) Percent of clients satisfied overall with LSS services (tri-annual survey)	Baseline set: 64% (2007/2008)	68%	N/A	N/A	N/A

Importance of these measures:

Client satisfaction overall and with the accessibility and helpfulness of LSS services shows that we are providing clients with the services they need when and where they need them, fulfilling our mandate to help people solve their legal problems and to facilitate access to justice.

Goal 2 • Participate

People with low incomes participate in solving and preventing legal problems. *Measure 2(a)*

Strategies

2.1 Provide clients with information about the spectrum and scope of legal aid services, related legal issues, and their rights early in the process.

2.2 Increase training for front line staff to support 2.1.

2.3 Implement community engagement strategies that increase local agents', lawyers', and intermediaries' capacity to engage clients to solve their legal issues, with an emphasis on rural, remote, and Aboriginal communities.

Performance measures	Actual	Forecast	Targets		
	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014
(a) Percent of clients satisfied with LSS support to help them participate in resolving their legal issues (tri-annual survey)	N/A	Baseline to be set	N/A	N/A	N/A
(b) Percent of lawyers satisfied with LSS support to increase their ability to engage clients in solving their legal issues (tri-annual survey)	Baseline set: 42%	N/A	N/A	46%	N/A

Importance of these measures:

Clients who participate in finding solutions to their legal problems are more likely to achieve positive, lasting outcomes.

Measures (a) and (b) assess the effectiveness of the support provided by LSS to clients and lawyers to help clients participate.

Goal 3 • Integrate

People with low incomes get help with related legal issues so they can solve and prevent legal problems.

Strategies

- 3.1** Continue to collaborate with other service providers to increase clients' access to services for their related legal issues.
- 3.2** Support LSS staff, local agents, lawyers, and intermediaries to assess and refer clients to services for their related legal issues.
- 3.3** Work with MAG and other ministries to develop a client-centred approach that promotes integration of services to address clients' legal and related legal issues.

Performance measures	Actual	Forecast	Targets		
	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014
(a) Percent of clients who say LSS informed them about services to address their related legal issues (tri-annual survey)	N/A	Baseline to be set	N/A	N/A	N/A
(b) Percent of lawyers satisfied with LSS support for increasing their ability to help clients address related legal issues (tri-annual survey)	Baseline set: 22%	N/A	N/A	26%	N/A
(c) Percent of lawyers who support the integrated approach to providing legal aid services (tri-annual survey)	Baseline set: 71%	N/A	N/A	75%	N/A

Importance of these measures:

Clients who get help for their related issues are more likely to achieve positive, lasting solutions to their legal issues. Measure (a) tracks the effectiveness of LSS efforts to provide clients with information about services for related legal issues. Integrating services requires all service partners to have the necessary skills and resources. Measures (b) and (c) assess our progress on supplying lawyers with the tools and information to support this approach.

Goal 4 • Manage

LSS manages resources soundly.

Strategies

- 4.1 Implement an employee engagement action plan that responds to the 2011 Work Environment survey.
- 4.2 Develop indicators to track and adjust operational performance in key areas such as demand management and lawyer supply.
- 4.3 Monitor the effect of the simplified tariff on case costs and make adjustments as needed.
- 4.4 Develop and implement new policies and processes to manage large cases.
- 4.5 Sustain public and political support for legal aid services.
- 4.6 Develop and implement community-based lawyer engagement initiatives.
- 4.7 Adapt process, policies, and budget to reflect new immigration and family legislation.

Performance measures	Actual	Forecast		Targets	
	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014
(a) Overall average employee engagement score (tri-annual survey)	(2007/2008: 70)	73	N/A	N/A	N/A
(b) Percent of lawyers satisfied with the overall support provided by LSS (tri-annual survey)	62%	N/A	N/A	66%	N/A
(c) Number of new lawyers taking more than five referrals/year (annual measure)	71	> 64	N/A	N/A	N/A
(d) Budget-to-actual expenditure variance (annual measure)*	3.7%	< 1.5%	< 1.5%	< 1.5%	< 1.5%
(e) Percent of the public that supports the provision of legal aid services (annual survey)	88%	> 90%	> 90%	> 90%	> 90%

Importance of these measures:

High employee engagement in the public sector, tracked by measure (a), is linked to improved service for clients. Measures (b) and (c) qualitatively and quantitatively assess our progress on maintaining a sustainable supply of lawyers to provide services to clients across BC. Maintaining a low budget-to-actual expenditure variance, measure (d), shows that we are effectively managing expenditures. Sustained public support for legal aid, measure (e), should enhance government confidence in our services.

*The budget-to-actual expenditure variance is calculated at year-end using the following formula:

Variance = actual expenditures/budgeted expenditures. Specific expenditures that are funded separately as they occur are excluded from the calculation.

Shareholder's Letter of Expectations

LSS and the Ministry of Attorney General jointly approve a shareholder's letter of expectations (SLE) from the ministry to the society each year.

The government uses SLEs to communicate its priorities, mandate direction, and key performance objectives to each Crown agency for the coming year. For LSS, the shareholder's letter supplements the three-year Memorandum of Understanding (MOU) between LSS and the ministry, which sets out the roles and responsibilities of both parties as well as the anticipated

funding LSS will receive from the ministry and the priorities for allocating that funding. The SLE also supplements the LSS Act, which establishes the overall mandate and administrative framework for the society.

Our actions to address the direction set out in the SLE for 2011/2012 are outlined in the table below.

Shareholder's letter of expectations	LSS alignment
Financial performance	
<ul style="list-style-type: none"> Work with the shareholder to ensure LSS meets budget variance targets. Prepare monthly reports that set out and forecast the financial situation of the exceptional matters fund. 	<ul style="list-style-type: none"> LSS has established rigorous cost monitoring and forecasting models to help ensure the society meets budget targets. LSS will continue to provide monthly reports to the Ministry of Attorney General on exceptional matters.
Support policy, planning, and program coordination	
<ul style="list-style-type: none"> Cooperate and coordinate with justice system partners on justice reform initiatives that further LSS goals. Collaborate with shareholder on issues such as large cases. Promote early, collaborative dispute resolution in child protection and family law cases. 	<ul style="list-style-type: none"> LSS will collaborate with the Ministry of Attorney General on justice transformation initiatives as revenue allows. LSS will collaborate with key stakeholders in the justice system to enhance large case management. LSS will continue to support early, consensual dispute resolution in family and CFCSA cases through the simplified tariff as revenue allows. LSS will continue to communicate with the Ministry of Attorney General on government and society priorities and the LSS service plan throughout the annual planning process.

Shareholder's letter of expectations**LSS alignment****Legislative framework**

- Conduct operations and financial activities consistent with legislative and policy framework established by government.

- LSS is in compliance with the LSS Act and the MOU.
- LSS regularly provides financial, statistical, and other information about legal aid services to the Attorney General on request.

Communication

- Establish a working group to meet monthly, as required, to ensure effective and efficient day-to-day communication between the ministry and LSS.

- LSS will participate in working group meetings to review and coordinate budget development, strategic priorities, policy and program development, issues related to legal aid and access to justice, and other issues as they arise.

Reporting

- Meet performance reporting requirements as set out in the Budget Transparency and Accountability Act, the Financial Administration Act, and the Financial Information Act.

- LSS will continue to meet all reporting requirements.

Climate change

- Comply with government requirements to make the public sector carbon neutral.

- LSS will review a new environmental policy that engages staff in efforts to reduce our greenhouse gas (GHG) emissions.
- LSS will review and develop print and copy monitoring solutions to reduce paper usage, complete conversion to recycled paper, minimize business travel, and build new premises to sustainability standards (Leadership in Energy and Environmental Design — LEED).
- LSS will complete and file carbon neutral action reports as required.

Financial Outlook

LSS summary financial outlook 2010 – 2014 (*in millions*)

	2009/10	2010/11 ¹	2011/12 ¹	2012/13 ¹	2013/14 ¹
	Actual	Forecast	Budget	Forecast	Forecast
Revenue					
Provincial grant funding	\$69.5	\$70.2	\$69.7	\$69.7	\$69.7
Other funding	6.8	5.3	5.0	5.0	5.0
Total revenue	76.3	75.5	74.7	74.7	74.7
Expenses					
Contracted representation	52.7	57.4	55.9	55.9	55.9
Client liaison and initiatives	15.5	9.9	10.8	10.8	10.8
Infrastructure and operational support	11.1	8.2	8.0	8.0	8.0
Total expenses	79.3	75.5	74.7	74.7	74.7
Net income (deficit)²	(3.0)	0.0	0.0	0.0	0.0
Internally restricted surplus	3.7	3.7	3.7	3.7	3.7
Debt	0.0	0.0	0.0	0.0	0.0

Note: On December 15, 2006, the Board of Directors restricted \$11.0 million for board-directed strategic issues. On December 18, 2008, the board amended the restriction to permit expenditures on transition costs, operations, and possible future innovative projects.

¹ Government of BC funding for LSS expenditures for the years 2011/12 through 2013/14 is not yet confirmed.

² The LSS Act authorizes the society to incur expenditures and liabilities in a given fiscal year of up to, but not exceeding, its total revenue for the year and accumulated surplus from previous years. For 2009/10, LSS was authorized to incur an operating deficit of \$4.5 million.

Key assumptions

- * That the Ministry of Attorney General and the Treasury Board will not permit any operating deficit for LSS in future years. This prevents LSS from using accumulated surplus for services.
- * No material changes in the number of cases prosecuted by the province and no material changes in the Provincial Court hours of service.
- * Criminal cases in excess of \$175,000 will be funded separately by the Ministry of Attorney General as per the Memorandum of Understanding.
- * No material changes in the demand for legal aid or in the poverty rate in BC.
- * No provision has been made for cost increases as a result of the changes to the Criminal Code by the Government of Canada.
- * Cost estimates for the new application service delivery model are based on current and historic application volumes.

Forecast risks and sensitivities

- * Unanticipated increases in the volume or average cost of cases, including increases from federal Criminal Code changes.
- * LSS's change to Public Sector Accounting Board reporting standards may have unanticipated consequences that could result in changes to reported revenue and expenditures.
- * Changes in interest rates and economic conditions affecting non-governmental revenue sources.
- * Inflationary pressures.
- * 2012/13 and 2013/2014 forecasts do not represent accurate forecasts of revenue and expenditures as they are largely extrapolated from the 2011/12 budget. The cost and scope of services is expected to change over a three-year period.

Legal Aid Offices

Abbotsford	604-852-2141	Penticton	250-493-7164
Campbell River	250-287-9521	Port Alberni	250-724-5137 or (call no charge) 1-877-724-0111
Chilliwack	604-793-7243	Port Coquitlam	604-472-0634
Courtenay	250-897-1400	Prince George	250-564-9717
Cranbrook	250-426-4066 or (call no charge) 1-877-426-4066	Prince Rupert	250-624-7701 or (call no charge) 1-800-787-2511
Dawson Creek	250-782-7366	Quesnel	250-992-8387
Duncan	250-753-4396	Richmond	604-273-9311
Fort St. James	250-996-6999 or (call no charge) 1-866-614-6999	Salmon Arm	250-545-3666
Fort St. John	250-785-8089	Smithers	1-877-842-5218 (call no charge)
Hazelton	250-842-5218 or (call no charge) 1-877-842-5218	Surrey	604-585-6595
Kamloops	250-314-1900	Terrace	250-635-2133 or (call no charge) 1-800-787-2511
Kelowna	250-763-8613	Vancouver	604-601-6206
Langley	604-532-8898	Vanderhoof	250-567-2800 or (call no charge) 1-866-614-6999
Nanaimo	250-753-4396	Vernon	250-545-3666
Nelson	1-877-426-4066 (call no charge)	Victoria	250-388-4516
New Westminster	604-585-6595	Williams Lake	250-398-7359
North Vancouver	604-980-7000		

For more information:

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